

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

R.E.S.V. and J.A.S.V.,

Plaintiffs,

v.

United States of America,

Defendant.

Civil No. 24-12863

Honorable Susan K. DeClercq
Mag. Judge Curtis Ivy, Jr.

DECLARATION OF JOSE MONSERRATE

Pursuant to 28 U.S.C. § 1746, I, Jose Monserrate, hereby declare as follows:

1. I am a Supervisory Border Patrol Agent with the Department of Homeland Security, United States Customs and Border Protection (CBP), in Eagle Pass, Texas. In this capacity, I am responsible for supervising Border Patrol agents in the Eagle Pass, Texas, region.

2. In my role as a Supervisory Border Patrol Agent, I have access to CBP systems of record used in the regular course of business and am I familiar with these systems, as I use these systems in my day-to-day activities. The statements made in this Declaration are based on my personal knowledge, information made available to me in the performance of my official duties, and conclusions and determinations reached and made in accordance therewith.

3. Pursuant to this case, I reviewed records related to the alleged events for the purpose of identifying potential Border Patrol Agent witnesses. I also reviewed our internal communications databases to confirm the current status of these witnesses.


4. My search revealed the following: There are six Border Patrol Agent witnesses identified on the documents related to Plaintiffs' administrative claim. Four of the witnesses are currently employed by the U.S. Border Patrol, and two have retired. Of the four currently employed, three reside in Texas and one resides in New Mexico, however, this employee will be moving back to Texas in April 2025. One of the current employees who resides in Texas is on a temporary detail to a position in Washington, D.C., until June 2025. After his detail, however, he intends to return to his residence in Texas.

5. For both retired employees, their last duty station and/or last known residence was also in Texas.

6. My search did not find any of these witnesses' residence or employment in Michigan.

7. I declare under penalty of perjury that the foregoing is true and correct. 28 U.S.C. § 1746.

Executed on February 13, 2025

By: _____
JOSE MONSERRATE
Supervisory Border Patrol Agent